

REMARKS

This is in response to the Office Action dated March 28, 2007. In view of the foregoing amendments and following representations, reconsideration is respectfully requested.

By the above amendments, claims 1-3 are amended and claims 5-10 are newly presented. Thus, claims 1-10 are currently pending in the present application.

Next, the specification and abstract have been reviewed and revised in order to make a number of editorial and other clarifying amendments. To facilitate entry of the amendments, a substitute specification and abstract has been prepared. No new matter has been added. Also enclosed is a "marked-up" copy of the original specification and abstract to show the changes that have been incorporated into the substitute specification and abstract. The enclosed copy is entitled "Version with Markings to Show Changes Made."

Next, on pages 2-3 of the Office Action, claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Yuyama et al. (U.S. Patent No. 5,709,063). Also, claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yuyama in view of "common knowledge."

It is submitted that the present invention, as defined in the present claims, clearly distinguishes over the Yuyama patent for the following reasons.

Yuyama discloses a tablet packing machine including a detector means provided at the discharge port 18 of a corresponding tablet feeder 3. However, the detector means only detects tablets 5 being discharged. This detector means is not capable of detecting whether or not the tablet feeder 3 is mounted on the motor base 14. Further, in the Yuyama machine, a plurality of

light sensors 32 for reading data on the marker 33 are mentioned, but these sensors are provided for the sole purpose of distinguishing the kind of tablets housed in the tablet feeder.

In the present invention, as defined in claim 1, a case detection means is provided for detecting whether or not the tablet storage case is mounted on the case support table. This case detection means outputs a detection signal at the start of mounting of the tablet storage case on the case support table. Since the counting means may be set to the ON state based on the detection signal, if a tablet is dropped out from the tablet case during the mounting operation (i.e. from the start time to completion of mounting the tablet case on the support base), the tablet can be counted by the counting means. In other words, the present invention, as claimed in claim 1, permits a tablet to be counted if it is dropped from the tablet storage case before the end of the mounting of the tablet storage case on the support base. Thus, counting errors can be prevented. There is no structure or feature of the applied Yuyama reference that would permit a tablet to be counted prior to completion of the mounting process. Clearly, the Yuyama reference does not meet each and every limitation of claim 1, and therefore cannot anticipate claim 1 under 35 U.S.C. 102(b). Note that new independent claims 5 and 8 also require an arrangement that permits the ability to count tablets upon the start of a mounting operation. These claims recite the structure for performing the claimed functions, and are therefore clearly allowable over the Yuyama reference.

With respect to claim 3, the Examiner asserts that "it is common knowledge that waiting for a sensor or any other electronic device to reach a steady state condition before relying on it for information." However, the technical line of reasoning, upon which the Examiner's position

is based, has not been set forth. Also, it is noted that the statement does not address the specific language of claim 3. Therefore, the Examiner is requested to cite a reference or other evidence in support of the examiner's conclusion of common knowledge in the art (MPEP 2144.03). It should be noted that the EPC communication, submitted on April 13, 2007, concludes that "the combination of features of claim 3 is neither known from, nor rendered obvious by, the available prior art." Furthermore, the present invention has been granted a patent by the Taiwan Patent Office.

In view of the above, it is submitted that the present application is now clearly in condition for allowance. The Examiner therefore is requested to pass this case to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

Nakaji TAKEDA et al.

By: 

Michael S. Huppert
Registration No. 40,268
Attorney for Applicants

MSH/kjf
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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